

# News from Congressman David Price (NC-04)

Chairman, House Appropriations Subcommittee on Homeland Security

<http://price.house.gov>

Friday, May 18, 2007

Contact: Paul Cox, 202-225-1784

FOR IMMEDIATE RELEASE

## **Opening Statement of Rep. David Price: Subcommittee Mark-up of the FY 2008 Homeland Security Appropriations Act**

I am pleased today to hold this Subcommittee mark-up of the 2008 Homeland Security Appropriations bill. Through the 20 hearings this Subcommittee has held so far this year, featuring testimony from Department officials, watchdog agencies, and outside experts, numerous security vulnerabilities and management problems were identified and solutions were offered. I believe that the mark that I am asking all Subcommittee members to approve is well informed by what we learned in those hearings.

In total, the bill contains **\$36.254 billion in discretionary funding**, which is \$2.5 billion, or more than 7 percent, above the funding appropriated in 2007 (including emergency funding), and \$2 billion, or 5 percent, above the amounts requested by President Bush. I hope you will agree that the country's outstanding homeland security vulnerabilities more than justify this level of funding.

The mark does four important things.

First, it provides funding to address our country's most pressing security vulnerabilities, with a new emphasis on our ports and on rail and transit systems.

Second, the bill provides critically needed funding to our states and communities to confront not only the threat of terrorist activity, but also natural disasters and the emergency situations they must deal with every day. Homeland security requires a faithful partnership among the federal government, states, and local communities. This bill honors that partnership.

Third, the bill helps to ensure that taxpayer dollars are well spent by requiring specific management reforms related to contracting, procurement, and competition. It cuts \$1.234 billion below the FY 2007 levels and \$244 million below the requested amounts for programs and activities that are not performing well or for which increased or level funding has not been adequately justified. And it withholds a total of \$1.9 billion from various programs until the Department submits detailed expenditure plans.

And fourth, the bill takes a long term approach by requiring outside reviews of several major programs and activities to ensure that long term investments of taxpayer money are made wisely and productively. For instance, we are commissioning studies by the National Academies of Science on the current direction of the BioWatch program and on the Department's risk analysis capabilities and the improvements needed to ensure that investments are well targeted.

The funding increases provided in this bill address the security vulnerabilities identified by numerous expert groups, including the 9-11 Commission, and the Hart-Rudman Commission. They also fund security actions mandated in the SAFE Ports Act and the Katrina Reform Act.

- Aviation explosive detection systems are funded in total at \$849 million, \$324 million more than 2007.
- Air cargo security is funded at \$73 million, \$18 million more than 2007. And the bill directs TSA to double the amount of cargo it screens prior to loading onto passenger aircraft.
- Transit security grants are funded at \$400 million, \$225 million more than 2007.
- Port security grants are funded at \$400 million, \$190 million more than 2007. In addition, \$40 million is provided for the Coast Guard to implement the requirements of the SAFE Ports Act.
- Emergency management performance grants are funded at \$300 million, \$100 million more than 2007.
- Metropolitan medical response system grants are funded at \$50 million, \$17 million more than 2007.
- State homeland security and law enforcement terrorism prevention grants are funded at \$950 million, \$50 million more than 2007.
- Urban area security grants are funded at \$800 million, \$30 million more than 2007.
- REAL ID and interoperable communication grants are funded in total at \$100 million, in contrast to no funding provided in 2007.
- Fire grants are funded at \$800 million, \$138 million more than 2007.
- FEMA management and administration is funded at \$685 million, \$150 million more than 2007.

I want to highlight a number of other provisions in the bill that I think are particularly important. We have all heard about contracts and awards from the Department that were not competed. FEMA recently submitted a list of nearly 4,000 contracts that were never competitively bid. This bill mandates that all grant and contract funds be awarded through full and open competitive processes, except when other funding distribution mechanisms are required by statute. This approach creates a level playing field and also ensures that there are no congressional or administration earmarks in the bill.

In addition, the bill addresses a major immigration vulnerability that exists today. It requires that ICE obtain information, on a monthly basis, from correctional facilities throughout the United States to identify incarcerated immigrants who are subject to deportation. Although ICE deports some number of these individuals now, it is not systematically identifying and deporting them. There is simply no excuse for failing to identify every deportable alien and deporting them immediately upon their release from prison. This activity should be among the first priorities in our illegal immigration enforcement strategy, and the bill provides funding and direction to DHS accordingly.

The bill funds the Secure Border Initiative at the requested level of \$1 billion, while requiring the Department to clearly justify how it plans to use these funds to achieve operational control of our borders. For each border segment, the Department will have to produce an analysis comparing its selected approach to alternatives based on total cost, level of control achieved, impact on affected communities, and other factors. We are also requiring the Department to seek the advice and support

of each local community affected by a border infrastructure project and to report on its plans to address security vulnerabilities on the Northern border.

The bill also addresses a Customs and Border Protection staffing problem that we heard about on our February trip to the southwest border. Because CBP officers are not considered “law enforcement officers,” or LEO, despite the increasing role of law enforcement in their duties, they don’t receive the same benefits as DHS personnel who are considered LEO. This has made it extremely difficult to hold on to CBP officers. In a nutshell, the bill would allow eligible CBP officers to transition to LEO status beginning in FY 2008.

The Transportation Security Administration’s loss of the personal data of thousands of its employees is only the most recent example of the privacy problems plaguing the Department. This bill withholds funding for certain DHS programs until the proper privacy protections are in place because security and privacy can and should go hand in hand.

There are a few other provisions that I would like to mention. First, the bill repeats language included in the first and second supplemental bills mandating that stricter state and local chemical security laws and regulations cannot be preempted by the federal government. Second, the bill mandates that all grant and contract funds comply with Davis-Bacon requirements. Third, the \$101 million in the bill for the new DHS campus facility at St. Elizabeths will not be available until the Department submits an explosive detection equipment spending plan and promulgates long-overdue regulations to provide visas to victims of domestic violence, rape, and involuntary servitude. It is our way of signaling that any further delay is completely unacceptable.

Now, I would like to recognize the distinguished Ranking Member, Mr. Rogers, for any comments he would like to make.

###